IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 11th day of March 2005

Bail Application No. 217 **of 2005**

Order on the bail application of accused

CRIMINAL SIDE

Rajneesh S/o Madan Lal
R/o Village Khedi Assa
Police Station Devband
District Saharanpur (U.P.) .....Applicant

Versus

State of Uttaranchal .... Opposite Party

Arising out of Case Crime No. 77 of 2004
Under Sections 302, 201, 394 of I.P.C.
Police Station Gangnehar Roorkee
District Haridwar

By the court

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case crime No. 77 of 2004, Under Sections 302, 201, 394 of I.P.C. registered at Police Station Gangnehar Roorkee, District Haridwar.

Heard Sri Manish Arora learned counsel for the applicant, learned A.G.A. and perused the record.

The learned counsel for the applicant has contended that Swantantra Singh is the father of the deceased and Satish Kumar is the real uncle of the deceased. It was further contended by the learned counsel for the applicant that nobody will make the extra judicial confession before the person to whom he does not have any confidence that he will save him. The incident took place on 19.05.2004 and the alleged extra judicial confession was said to have been made on 27.05.2004 and the statement was recorded on 13.06.2004 before Swantantra Singh and Satish Kumar.

Considering the totality, facts, circumstances of the case and contentions submitted by the learned counsel for the applicant, it is a fit case for bail.

Let the applicant Rajneesh be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M. concerned.

(B.C. Kandpa, J.)

11.03.2005
ASWAL